



February 21, 2014

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## ENGROSSED SENATE BILL No. 238

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DIGEST OF SB 238 (Updated February 19, 2014 10:58 am - DI 84)

**Citations Affected:** IC 9-18; IC 9-19.

**Synopsis:** Inspection of private buses. Requires the state police department to establish a program to inspect private buses. Provides that the state police department is not required to conduct the inspections. Requires the owner of a private bus to provide to the bureau of motor vehicles an unexpired certificate of inspection for the private bus before the owner may register or reregister the private bus.

**Effective:** July 1, 2014.

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### Wyss, Arnold J, Randolph

(HOUSE SPONSORS — FRYE R, GIAQUINTA)

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January 9, 2014, read first time and referred to Committee on Homeland Security, Transportation, and Veterans Affairs.

January 23, 2014, amended, reported favorably — Do Pass.

January 27, 2014, read second time, ordered engrossed.

January 28, 2014, engrossed. Read third time, passed. Yeas 33, nays 14.

#### HOUSE ACTION

February 4, 2014, read first time and referred to Committee on Roads and Transportation.

February 20, 2014, reported — Do Pass.

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ES 238—LS 6714/DI 103





February 21, 2014

Second Regular Session 118th General Assembly (2014)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## ENGROSSED SENATE BILL No. 238

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 9-18-2-8, AS AMENDED BY P.L.262-2013,  
2       SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       JULY 1, 2014]: Sec. 8. (a) Except as provided in section 7(h) of this  
4       chapter and subsection (f), the bureau shall determine the schedule for  
5       registration for the following categories of vehicles:

6               (1) Passenger motor vehicles.

7               (2) Recreational vehicles.

8               (3) Motorcycles.

9               (4) Trucks that:

10               (A) are regularly rented to others for not more than  
11               twenty-nine (29) days in the regular course of the corporation's  
12               business; and

13               (B) have a declared gross weight of not more than eleven  
14               thousand (11,000) pounds.

15       (b) Except as provided in IC 9-18-12-2.5, a person that owns a  
16       vehicle shall receive a license plate, renewal tag, or other indicia upon

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1 registration of the vehicle. The bureau may determine the indicia  
2 required to be displayed.

3 (c) A corporation that owns a vehicle that is regularly rented to  
4 others for periods of not more than twenty-nine (29) days in the regular  
5 course of the corporation's business must register the vehicle on the  
6 date prescribed by the bureau.

7 (d) A person that owns a vehicle in a category required to be  
8 registered under this section and desires to register the vehicle for the  
9 first time must apply to the bureau for a certificate of registration. The  
10 bureau shall do the following:

11 (1) Administer the certificate of registration.

12 (2) Issue the license plate according to the bureau's central  
13 fulfillment processes.

14 (3) Collect the proper registration and service fees in accordance  
15 with the procedure established by the bureau.

16 (e) Except as provided in IC 9-18-12-2.5, the bureau shall issue a  
17 semipermanent plate under section 30 of this chapter, or:

18 (1) an annual renewal tag; or

19 (2) other indicia;

20 to be affixed on the semipermanent plate.

21 (f) After June 30, 2011, the registration of a vehicle under  
22 IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2) expires on December 14 of  
23 each year. However, if a vehicle is registered under IC 9-18-16-1(a)(1)  
24 or IC 9-18-16-1(a)(2) and the registration of the vehicle is in effect on  
25 June 30, 2011, the registration of the vehicle remains valid:

26 (1) throughout calendar year 2011; and

27 (2) during the period that:

28 (A) begins January 1, 2012; and

29 (B) ends on the date on which the vehicle was due for  
30 reregistration under the law in effect before this subsection  
31 took effect.

32 **(g) After December 31, 2015, a person that:**

33 **(1) owns a private bus; and**

34 **(2) desires to:**

35 **(A) register for the first time; or**

36 **(B) reregister;**

37 **the private bus;**

38 **must present to the bureau an unexpired certificate indicating**  
39 **compliance with an inspection program established under**  
40 **IC 9-19-22-3, in addition to any other information required by the**  
41 **bureau.**

42 SECTION 2. IC 9-19-22 IS ADDED TO THE INDIANA CODE AS



A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

**Chapter 22. Inspection of Equipment for Private Buses**

**Sec. 1.** This chapter applies to a private bus that is registered or reregistered with the bureau after December 31, 2015.

**Sec. 2.** As used in this chapter, "program" refers to a program to inspect private buses established under section 3 of this chapter.

**Sec. 3. (a)** The superintendent of the state police department shall establish a program to inspect private buses under this chapter. The superintendent may, but is not required to, adopt rules under IC 4-22-2 to establish the program.

**(b)** A program established under subsection (a) must do the following:

(1) Identify categories of individuals who may conduct an inspection under the program.

(2) Prescribe safety requirements for the construction and equipment of private buses subject to this chapter, including requiring a determination of the existence and condition of a private bus's:

- (A) brakes;
- (B) lights;
- (C) steering and suspension;
- (D) exhaust systems;
- (E) body; and
- (F) tires.

(3) If an inspection under the program reveals that a private bus meets the safety requirements prescribed under subdivision (2), require the individual who inspected the private bus to issue to the owner of the private bus a certificate stating that the private bus was inspected and met the prescribed safety requirements.

**(c)** A program established under subsection (a) may impose a fee for conducting an inspection and issuing a certificate. The fee:

- (1) may be sufficient to defray; and
- (2) may not exceed;

actual inspection and administrative costs.

**Sec. 4.** This chapter does not require the state police department to inspect private buses under this chapter.



## COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill No. 238, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 32, delete "2014," and insert "**2015**,".

Page 3, line 5, delete "2014." and insert "**2015**,".

and when so amended that said bill do pass.

(Reference is to SB 238 as introduced.)

WYSS, Chairperson

Committee Vote: Yeas 7, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 238, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 238 as printed January 24, 2014.)

Committee Vote: Yeas 12, Nays 0

Representative Soliday

